

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
 Stylesheet Version v1.2

ETAS ID: TM556555

|   |                                 |                                |                     |
|---|---------------------------------|--------------------------------|---------------------|
| <b>SUBMISSION TYPE:</b>   | NEW ASSIGNMENT                  |                                |                     |
| <b>NATURE OF CONVEYANCE:</b>  | Notice of Security Interest     |                                |                     |
| <b>CONVEYING PARTY DATA</b>   |                                 |                                |                     |
| <b>Name</b>   | <b>Formerly</b>                 | <b>Execution Date</b>          | <b>Entity Type</b>  |
| Elmira Pet Products Ltd.  |                                 | 12/20/2019                     | Corporation: CANADA |
| <b>RECEIVING PARTY DATA</b>   |                                 |                                |                     |
| <b>Name:</b>  | The Toronto-Dominion Bank       |                                |                     |
| <b>Street Address:</b>  | 100 Wellington Street West      |                                |                     |
| <b>Internal Address:</b>  | 26th Floor                      |                                |                     |
| <b>City:</b>  | Toronto                         |                                |                     |
| <b>State/Country:</b>   | CANADA                          |                                |                     |
| <b>Postal Code:</b>   | M5K 1A2                         |                                |                     |
| <b>Entity Type:</b>   | Bank: CANADA                    |                                |                     |
| <b>PROPERTY NUMBERS Total: 6</b>  |                                 |                                |                     |
| <b>Property Type</b>  | <b>Number</b>                   | <b>Word Mark</b>               |                     |
| <b>Registration Number:</b>   | 5448784                         | NUTRAM IDEAL SOLUTION SUPPORT  |                     |
| <b>Registration Number:</b>   | 5105504                         | NUTRAM SOUND BALANCED WELLNESS |                     |
| <b>Registration Number:</b>   | 5246763                         | NUTRAM                         |                     |
| <b>Registration Number:</b>   | 5105503                         | NUTRAM TOTAL GRAIN-FREE        |                     |
| <b>Registration Number:</b>   | 5228527                         | NUTRAM NUMBER                  |                     |
| <b>Registration Number:</b>   | 4677487                         | NUTRAM                         |                     |
| <b>CORRESPONDENCE DATA</b>  |                                 |                                |                     |
| <b>Fax Number:</b>  | 8009144240                      |                                |                     |
| <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i> |                                 |                                |                     |
| <b>Phone:</b>   | 800-713-0755                    |                                |                     |
| <b>Email:</b>   | erin.roberson@wolterskluwer.com |                                |                     |
| <b>Correspondent Name:</b>  | CT Corporation                  |                                |                     |
| <b>Address Line 1:</b>  | 4400 Easton Commons Way         |                                |                     |
| <b>Address Line 2:</b>  | Suite 125                       |                                |                     |
| <b>Address Line 4:</b>  | Columbus, OHIO 43219            |                                |                     |
| <b>NAME OF SUBMITTER:</b>   | Jenaya McLean                   |                                |                     |
| <b>SIGNATURE:</b>   | /Jenaya McLean/                 |                                |                     |
| <b>DATE SIGNED:</b>   | 01/08/2020                      |                                |                     |

OP \$165.00 5448784

**Total Attachments: 4**

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**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies):**

Elmira Pet Products Ltd.

- ☐ Individual(s) ☐ Association  
☐ Partnership ☐ Limited Partnership  
☒ Corporation- State: Ontario  
☐ Other \_\_\_\_\_

Citizenship (see guidelines) Canada

Additional names of conveying parties attached? ☐ Yes ☒ No

**3. Nature of conveyance/Execution Date(s) :**

Execution Date(s) December 20, 2020

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other Notice of Security Interest

**2. Name and address of receiving party(ies)**

Additional names, addresses, or citizenship attached? ☐ Yes  
☒ No

Name: The Toronto-Dominion Bank

Street Address: 100 Wellington Street West, 26th Floor

City: Toronto

State: Ontario

Country: Canada Zip: M5K 1A2

- ☐ Individual(s) Citizenship \_\_\_\_\_  
☐ Association Citizenship \_\_\_\_\_  
☐ Partnership Citizenship \_\_\_\_\_  
☐ Limited Partnership Citizenship \_\_\_\_\_  
☐ Corporation Citizenship \_\_\_\_\_  
☒ Other Bank Citizenship Canada

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No  
(Designations must be a separate document from assignment)

**4. Application number(s) or registration number(s) and identification or description of the Trademark.**

A. Trademark Application No.(s) \_\_\_\_\_ Text \_\_\_\_\_

See attached

B. Trademark Registration No.(s) \_\_\_\_\_

See attached

Additional sheet(s) attached? ☒ Yes ☐ No

**C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):**

See attached

**5. Name & address of party to whom correspondence concerning document should be mailed:**

Name: Aird & Berlis LLP

Internal Address: \_\_\_\_\_

Street Address: 181 Bay Street, Suite 1800

City: Toronto

State: Ontario Zip: M5J 2T9

Phone Number: 416-863-1500

Docket Number: \_\_\_\_\_

Email Address: jmclean@airdberlis.com

**6. Total number of applications and registrations involved:**

6

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ \_\_\_\_\_**

- ☐ Authorized to be charged to deposit account  
☐ Enclosed

**8. Payment Information:**

Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

**9. Signature:**

Jenaya McLean  
Signature

January 8, 2020  
Date

Jenaya McLean  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Branch, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

## **NOTICE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY**

**WHEREAS ELMIRA PET PRODUCTS LTD.**, a corporation incorporated in the Province of Ontario (the "**Debtor**"), whose full address is 35 Martin's Lane, Elmira, Ontario N3B 2Z5, is the owner of the registered trademarks set forth in Attachment 1 attached hereto (collectively, the "**Intellectual Property**");

**AND WHEREAS THE TORONTO-DOMINION BANK** (the "**Lender**"), entered into, *inter alia*, a General Security Agreement with the Debtor, hereof by which the Debtor granted to the Lender a security interest and lien in all of its property, including the Intellectual Property;

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in accordance with the terms and obligations set forth in the General Security Agreement, the Debtor hereby confirms the granting of a security interest and lien in the Intellectual Property to the Lender.

**THE DEBTOR** hereby certifies that the aforementioned information as it relates to the Debtor is true and accurate.

**[Signature Page Follows]**

DATED: December 20 , 2019.

**ELMIRA PET PRODUCTS LTD.**

By: 

Name: David L. Johnston

Title: Chief Operations Officer

I have authority to bind the Corporation.

# Attachment 1

## Canadian Trademarks

| Trademark                                 | Application Serial No. | TMA Registration No. |
|---|------------------------|----------------------|
| nutram IDEAL SOLUTION SUPPORT & design    | N/A                    | TMA919,501           |
| OPTIMUM COMBINATIONS                      | N/A                    | TMA919,502           |
| nutram SOUND BALANCED WELLNESS            | N/A                    | TMA919,500           |
| Nutram                                    | N/A                    | TMA919,499           |
| nutram TOTAL GRAIN-FREE                   | N/A                    | TMA919,498           |
| When the love is there. The rest is here. | N/A                    | TMA934,008           |
| Quand l'amour est là, le reste est ici.   | N/A                    | TMA934,009           |
| Nutram Number                             | N/A                    | TMA982923            |
| Numéro de Nutram                          | N/A                    | TMA942063            |
| CLASSY CATS                               | N/A                    | 310,061              |
| DOC KENNEDY                               | N/A                    | 365,510              |
| NUTRAM URINARY CARE FEMALE                | N/A                    | 755,045              |
| NUTRAM URINARY CARE MALE                  | N/A                    | 752,008              |
| NUTRAM                                    | N/A                    | 272,090              |
| HAPPY PAWS                                | N/A                    | 619,100              |
| PET TIME                                  | N/A                    | 534,495              |
| K-9 SELECTION                             | N/A                    | 397,395              |
| FELINE PERFECTION                         | N/A                    | 422,545              |
| NUTRAM & Design                           | N/A                    | 684,917              |
| SIGMA SEVEN                               | N/A                    | 690,655              |

## US Trademarks

| Trademark                              | Application Serial No. | TMA Registration No. |
|--|------------------------|----------------------|
| nutram IDEAL SOLUTION SUPPORT & design | N/A                    | 5448784              |
| nutram SOUND BALANCED WELLNESS         | N/A                    | 5105504              |
| Nutram                                 | N/A                    | 5246763              |
| nutram TOTAL GRAIN-FREE & design       | N/A                    | 5105503              |
| Nutram Number                          | N/A                    | 5228527              |
| NUTRAM                                 | N/A                    | 4677487              |

Notice of Security Interest in IP